



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.midland-mi.org

Copyrighted by MIDLAND CHARTER & Municipal Code Corporation, 1998.

Chapter 1.

Boundaries and Subdivisions of the City

Sec. 1.1. Boundaries.

The following described territory, together with all territories that may hereafter be annexed thereto, shall continue and remain a body corporate under the official name and title of "City of Midland," and shall be subject to the municipal control of said city.

Editor's note--The description of the boundaries has been omitted from this publication by the editors since it is subject to change by annexation ordinances. A description of the boundaries of the city may be found in the office of the city clerk.

State law reference(s)--Annexation of territory, M.S.A., § 5.2085 et seq.

Sec. 1.2. Alteration of boundaries.

Territory may be added to or detached from the city in the manner provided in Act 279 of the Public Acts of 1909, as amended. In addition to the procedures for the annexation and detachment of territory provided by said act and under the authority granted by the provisions of Section 18 thereof, as amended by Act No. 86 of the Public Acts of 1941, permitting any city which revises its charter to include in such revised charter any power, limitation, or provision granted or passed by the legislature for the government of such city and contained in the charter to be revised and providing further, that when any such power, limitation, or provision is contained in any such revised charter the same shall continue with the same force and effect as when granted or passed by the legislature in the first instance; the Charter Commission of the City of Midland which was elected to frame this charter, and the people of said city in adopting the same as the charter of the City of Midland, do expressly include and continue in said charter Section 1 of Chapter II of Act 215 of the Public Acts of 1895, which constitutes a part of the charter of Midland which was granted or passed by the legislature for the government of said city, which charter is hereby revised and superseded, and which section hereby continued in this charter reads as follows:

"Whenever the Council of any city shall determine by resolution to alter the boundaries of such city, either by taking in lands and premises adjoining thereto, or by taking out any lands and premises included in such city, or both, they shall petition the Board of Supervisors of the county in which such lands and premises affected thereby are situated to make such change. Such petition shall contain a description by metes and bounds of the lands and premises proposed to be added to or taken out of such city and be accompanied by a map of said lands, and set forth the reasons for the proposed change, and shall contain a copy of the resolution of the Council in relation thereto, and shall be certified to by the Clerk under the official seal of such city. Before such petition shall be presented to the Board of Supervisors, notice shall be given by the Clerk of the time and place when the same will be presented for consideration, by publishing the same in one or more newspapers published in such city for at least three weeks immediately preceding the presentation of the same. Such notice shall also contain a description of the premises proposed to be taken in or out of the boundaries of such city. At the time of presenting such petition, all parties interested may appear before such Board of Supervisors and be heard

touching the proposed boundaries of such city, and after such hearing and due consideration of such petition, it shall be the duty of the Board of Supervisors to order and determine as to whether the prayer contained in the petition or any part thereof shall be granted, and they shall make an order of such determination, which order shall be entered upon their records, and thereupon, if a change of boundaries shall be ordered, then such boundaries of the city shall be fixed and shall exist as provided in such order, and a certified copy thereof shall be transmitted to the Clerk of such city and to the Secretary of State, and such order shall be prima facie evidence of such change of boundaries of such city and of the regularity of such proceedings in all courts and places: Provided, That the Board of Supervisors shall not change the boundaries of any city in such a manner as to affect the boundaries of a representative district at a time when changes in the boundaries of representative districts are prohibited."

Sec. 1.3. Wards.

Editor's note--The description of the boundaries of the wards of the city have been omitted, due to frequent changes. Documents setting forth the boundaries of the city wards are on file in the office of the city clerk.

State law reference(s)--Charter to provide for establishment of wards, M.S.A., § 5.2073(e).

Sec. 1.4. Alteration of ward boundaries.

In the event that the population of any ward or wards shall be shown to exceed that of any other ward by 50% according to the last preceding regular or special Federal census, the Council shall, at the next regular city election, submit to the electorate of the city an amendment to this charter proposing to redefine the boundaries of the wards of the city in such a manner as to reasonably equalize the populations thereof.

Sec. 1.5. Election precincts.

The Council shall, by ordinance, establish convenient election precincts which shall comply with the provisions of state law. Until the Council shall otherwise ordain, the wards of the city, as herein designated, shall constitute the precincts.